

AG Jennings announces suit to protect Postal Service from disruptions

Citing widespread delays in mail deliveries, President Trump's intent to use the Postal Service to suppress the vote, and reports of deliberate disruptions in daily postal operations amid a global pandemic, Attorney General Kathy Jennings announced Tuesday that Delaware and other states are suing the United States Postal Service to stop their practices.

"Every American depends on the mail, and millions of people are being harmed because of political sabotage writ large," said **Attorney General Jennings**. "You don't have to take my word for it: the President made clear on national TV that he's trying to prevent a fair election. In any other era, under any other administration, it would be unthinkable to appoint a megadonor to deliberately break one of America's oldest public services – but corruption has become the new normal. I'm not standing for it, and neither are my fellow Attorneys General."

"The fact that these slowdowns are happening during a pandemic and right before an election during which a record number of Americans plan to vote by mail – and all while the President bashes mail-in voting – is more than enough to raise eyebrows," said **Senator Tom Carper (D-DE)**. "I've also heard from Delawareans up and down our state who are frustrated that they are not receiving their regular mail, including prescription medications, paychecks and letters, in a timely way. That's why I'm proud that, thanks to Attorney General Jennings, Delaware is joining the fight and working to stop what appear to be blatantly partisan practices. I have also joined my colleagues in the Senate to begin investigations into this matter. Americans of all political affiliations – not just Democrats – who will rely on the Postal Service to

make their voice heard in November deserve better than these partisan games.”

AG Jennings’ suit asserts that the USPS is in violation of 39 U.S.C. § 3661, which mandates that the USPS submit any planned changes that will affect service on a substantially nationwide basis to the Postal Regulatory Commission for review and a hearing. Jennings is also suing the Postal Service for infringing Americans’ constitutionally guaranteed right to vote. The suit seeks a declaration that the USPS has violated 39 U.S.C. § 3661, a writ of mandamus ordering the USPS to submit to the Postal Regulatory Commission a proposal for any substantially nationwide service changes, an injunction prohibiting the USPS from implementing these operational changes, facility closures, or equipment removals, and an order directing the USPS to maintain the status quo before its unlawful actions.

Complaints about postal disruptions have sharply increased in recent months. Sen. Carper’s office has seen the proportion of constituent casework dealing with Postal Service complaints increase by 20 times the normal rate, and has received whistleblower complaints from current postal workers regarding service delays and delivery issues.

For example, Delawareans in the City of New Castle have reported not receiving mail for upwards of six days. A local postmaster responded to the complaints by citing recent policy changes implemented by U.S. Postmaster General Louis DeJoy. DeJoy, a Republican Party megadonor appointed in May by seven Trump-appointed members of the USPS Board of Governors, implemented changes including bans on overtime and on extra trips to complete mail delivery.

In another example, a Delaware letter carrier has reported that Priority Mail packages and First Class mail are intentionally being left behind and not delivered due to the policy changes. Another letter carrier reports that over the

last month letter carriers have been instructed to leave routes, sometimes leaving behind hundreds of deliveries per day as a consequence.

The delays have affected all manner of deliveries – from birthday cards and packages to bills and payments – with significant economic and health consequences. Delaware citizens, including the elderly, have reported prescription medication delays as long as 20 days and missed dosages.

USPS is also reported to have removed mail processing machines from postal sorting and distribution facilities around the country, including the only such facility in Delaware, raising serious concerns about Delaware's ability to process a surge in vote-by-mail volume. More than 50,000 Delawareans voted by mail in July's presidential primary, compared to 5,046 in the 2016 presidential primary.

Tens of thousands of Delawareans are expected to rely on the USPS for access to ballots under Delaware's new vote by mail law. [Forty-three states](#) will allow their residents to vote by mail in the 2020 elections, including 18 that passed vote-by-mail legislation amid public health concerns over the COVID-19 pandemic. Delaware has reported more than 15,000 confirmed infections and 524 confirmed deaths from the virus.